

**STATE BOARD OF DENTISTRY  
MINUTES**

**DECEMBER 2, 2022**

**I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM**

Dr. Ted Reese called the meeting to order at 9:01 a.m. in the Professional Licensing Agency Conference Room W064, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 25-14-1-12(a).

**Board Members Present:**

Ted M. Reese, D.D.S., President  
Richard R. Nowakowski, D.D.S., Vice President  
Robert D. Findley, D.D.S., Secretary/Designee  
Annette J. Williamson, D.D.S.  
Jeffrey L. Snoddy, D.D.S.  
R. Daron Sheline, D.D.S.  
Edward Sammons, D.D.S.  
Matthew Kolkman, D.D.S.  
Twyla Rader, L.D.H.  
Tammera Glickman, Consumer Member

**Board Members Not Present:**

Dental Member - Vacant

**State Officials Present:**

Cindy Vaught, Board Director, Professional Licensing Agency  
Dana Brooks, Assistant Board Director, Professional Licensing Agency  
Brad Repass, Litigation Specialist, Professional Licensing Agency  
Lief Johnson, Deputy Attorney General, Office of the Attorney General

**II. ADOPTION OF AGENDA**

A motion was made and seconded to adopt the agenda as amended.

Williamson/Glickman  
Motion carried 10-0-0

**III. ADOPTION OF THE MINUTES**

A motion was made and seconded to accept the minutes of October 7, 2022, as amended.

Williamson/Sammons  
Motion carried 10-0-0

**IV. PERSONAL APPEARANCES**

**A. PROBATION**

1. **Michael Bajza, D.D.S., License No. 12009652A**

Cause No. 2005 DB 0011

Dr. Bajza appeared with counsel, Michael Roth, to discuss his ongoing probation. Dr. Bajza is required to pass an examination approved by the Board under Title 828 of Ind. Admin. Code and/or successfully complete the American Association of Dental Board's (AADB) the AADB REMEDIATE+ course. Dr. Bajza presented the completion of the REMEDIATE+ course and informed the Board he found the program impressive. He stated that the program required him to pass a comprehensive examination. He stated that the examination was equivalent to the Board examination. Dr. Bajza submitted his report from his mentor Dr. Shideler for review, which showed his progress and imitations of his practice. At this time, Mr. Roth requested that the Board lift the limitations on Dr. Bajza's practice. For the Board to consider his request they would need to have a hearing to remove the limitations. The Board inquired about his ethics mentor and reporting based upon a term of probation in one of his original orders. Dr. Bajza stated that he has not met with an ethics mentor in over three years as he has not been in dental practice. He stated that his former ethics mentor withdrew three years ago. Dr. Bajza stated that he thought the Board at that time did not feel the mentor was needed since he was not in active practice.

**Motion:** A motion was made and seconded that the ethics mentor report is not necessary for Dr. Bajza's probation.

Kolkman/Findley  
Motion carried 10-0-0

The Board stated that it appears that Dr. Bajza may have met all his probation terms. If he would like to have his probation withdrawn, he will need to file a petition to set a hearing in this matter. Dr. Bajza stated that it was very difficult to complete his examination in time for his appearance, and he appreciates the Board's time.

2. **Desiree Dal Pra Dech., L.D.H., License No. 13006348A**

Cause No. 2022 ISBD 0007

Ms. Deck appeared as requested to discuss her ongoing probation. She last appeared before the Board June 3, 2022. She informed the Board that she completed her criminal probation June 6, 2022 and has submitted proof of completion to the Board. She still attends 3 AA meetings per week and has a sponsor. She stated she is doing great and has no sobriety issues. Ms. Dec stated that she informed her employer of her probation and circumstances. She stated that she no longer drinks or smokes.

3. **Alison Michalak, L.D.H., License No. 13007275A**

Cause No. 2021 ISBD 0007

Ms. Michalak did not appear as requested. Ms. Michalak informed the Board by email that she would not be appearing. The Board staff indicated that Ms. Michalak has not submitted any of the required reports per her probationary order filed on May 31, 2022. At this time, she is unable to practice due to a Tax Protest issued by the Department of Revenue.

**Board Action:** A motion was made and seconded to issue an Order to Show Cause based upon Ms. Michalak's noncompliance of her probationary order.

Findley/Nowakowski  
Motion carried 10-0-0

4. **Sharon Paterson, L.D.H., License No. 13004819A**  
Cause No. 2022 ISBD 0002

Ms. Paterson appeared as requested to discuss her ongoing probation. She stated that she finished her criminal probation in October 11, 2022 and has provided her reports from Aspire to the Board. She stated that she has been at the same employed at HealthNet since December 2000 and is working three (3) days per week. Ms. Paterson stated that she attends AA almost daily and personal counseling every 2 weeks. She stated that Aspire did not recommend she attend any personal counseling, but that she has enrolled in counseling. Ms. Paterson reported that everything is going well.

5. **Michelle Mitchell, L.D.H. License No. 13005474A**

Ms. Mitchell was originally scheduled to appear, but as she was due to have her probation withdrawn soon staff attempted to contact her to arrange for her probation appearance and withdrawal of probation on the same day. Ms. Mitchell never responded to the email correspondence to reschedule. Ms. Mitchell stated that as she is here for a probationary appearance, she requests that the Board proceed with her appearance. Ms. Mitchell stated that she has completed her criminal probation and submitted her court documents stating such. Ms. Mitchell has complied with all her probation requirements.

**B. APPLICATION**

1. **Aria Dental Care PC (Mobile Dental Practice)**  
John Rosenbaum, Chief Compliance Officer

Dr. Erin Rake appeared on behalf of Aria Dental Care to discuss their application for a mobile dental practice application. She stated she has been with the company for approximately six (6) years. She stated that Aria Dental is not a new company, and that they travel to assisted living homes and senior living centers to provide dental care. She stated that there is typically one (1) dentist and one (1) assistant in the field at a time, and in Indiana Aria Dental has twelve (12) dentists on staff. They cover basic cleanings, dentures, and x-rays. The Board requested clarification if an emergency would occur and what their procedures were. She stated that they have a corporate emergency line where the incident is reported and what has occurred. Once the situation is analyzed, they will either advise on a procedure, if she needs to go out to the field, or if emergency services need to be called. The Board inquired on how billing is done. Dr. Rake stated that Aria Dental bills through Medicaid; however, is unclear on all the different dental billing codes that are used. The Board inquired on the sterilization process of instruments. Dr. Rake explained that because they are a mobile clinic without a home base, the Dental Assistants will sterilize the instruments at home, and ensure that the sterilized instruments are in their own separate containers. Dr. Rake stated that the biohazard trash is disposed at the nursing home or assisted living centers where the procedure is taking place as they already have facilities to dispose of biohazards in place. The Board stated that they had concerns if this process meets OSCHA standards. The Board inquired how record keeping is done. Dr. Rake stated that they use a software from Salesforce that sends an electronic copy of the record to the patient's social worker. The Board

expressed concerns on this process as the rules say that records should be given to the patient directly.

The Board stated that they have concerns regarding the billing practices, sterilization of instruments, record keeping practices, and complaint procedures if a patient believes that there is an ethical violation. The Board stated that they do like the service to the senior population, but they needed more information and clarification on Aria's procedures. The Board tabled the application until Dr. Rake can have a representative from Aria Dental's corporate office appear to provide clarification and find out more information to address the Board's concerns.

### C. REINSTATEMENT

#### 1. **Mary Essling, L.D.H., License No. 13001875A**

Did not appear as requested to discuss the reinstatement of her dental hygiene license that expired in 2012. The Board staff requested that her reinstatement be reviewed as presented and inquired if the Board would still require an appearance. The Board noted that her Illinois dental hygiene license does not show active status on the Illinois license lookup and based upon the continuing education certificates presented they were completed online. The letter to the Board does not provide enough information as to whether she is currently in active practice or whether any of the continuing education courses were live.

Reinstatement tabled in the matter of Ms. Essling for her to appear before the Board to further discuss her reinstatement of her dental hygiene license.

#### 2. **Paul Larsen, D.D.S., License No. 12008917A**

Dr. Larsen did not appear as requested to discuss the reinstatement of his dental license that expired in 2014. The Board staff requested that his reinstatement be reviewed as presented. Dr. Larsen does currently have an active license in the state of Illinois with no reported discipline. He provided a letter to the Board that he has been in active practice full time since 2014 in the state of Illinois. The Board stated that continuing education presented was approved.

**Board Action:** A motion was made and seconded to approve Dr. Larsen's application for reinstatement of his dental license pending the passing of the jurisprudence examination.

Kolkman/Snoddy  
Motion carried 9-0-1 Findley opposed

#### 3. **Ryan McCall, D.D.S., License No. 12012037A**

Dr. McCall appeared as requested to discuss his expired dental license renewal application. Dr. McCall indicated yes to the question "Since you last renewed, and

except for minor violations of traffic laws resulting in fines and arrests or convictions that have been expunged by a court, have you been arrested, entered into a diversion agreement, been convicted of, pled guilty to, or pled nolo contendere to any offense, misdemeanor, or felony in any state or U.S. territory?” He provided a statement and supporting documents for the Board to review. Dr. McCall informed that Board that he was charged with theft in the state of California. He stated that his case is set to be dismissed in February 2023 as he had entered into a Diversion Agreement. He stated that he is currently seeing a counselor and has joined a men’s support group. He is in the process of completing twenty-five (25) hours of community service which is a part of agreement. He informed the Board that most of his support system is in Indiana and Illinois, which is why he is requesting the reinstatement of his Indiana license. Dr. McCall stated that he let his license lapse as he had obtained a teaching position in March at the time of license renewal and did not renew his license on time. Dr. McCall stated that he has self-reported to the California Dental Board and that his California license is pending the outcome of whether he is granted renewal of his Indiana license. The Board asked if he would remain in the state of California or will be returning to Indiana. Dr. McCall stated that there are number of personal issues at this time up in the air, and his intention is to move back to Indiana.

**Board Action:** A motion was made and seconded to approve the application for renewal of Dr. McCall’s expired license.

Kolkman/Sheline  
Motion carried 10-0-0

**4. Loretta Sriubus, L.D.H., License No. 13004430A**

Ms. Sriubus appeared as requested to discuss the reinstatement of her license that expired in 2008, and her yes response to the questions “Since you last renewed, has any healthcare license, certificate, registration, or permit you hold or have held been subject to investigation, charges pending or disciplinary sanctions in any state or U.S. territory?” and “Since you last renewed, and except for minor violations of traffic laws resulting in fines and arrests or convictions that have been expunged by a court, have you been arrested, entered into a diversion agreement, been convicted of, pled guilty to, or pled nolo contendere to any offense, misdemeanor, or felony in any state or U.S. territory?” Ms. Sriubus provided a statement and supporting documents for the Board to review. She informed the Board that she was licensed in Michigan, who had disciplined her as she was short the required continuing education hours to renew her Michigan dental hygiene license. She was required to pay a fine to the Michigan Dental Board. She stated that since the expiration of her Indiana license she has been practicing in state of Michigan and is now moving back to Indiana.

**Board Action:** A motion was made and seconded to grant the reinstatement of Ms. Sriubus’ dental hygiene license pending the passing of the jurisprudence examination.

**V. ADMINISTRATIVE HEARINGS**

**A. Chanbo Sim, D.D.S., License No. 12009372A**

Administrative Cause No. 2020 ISBD 0007

Re: Administrative Complaint & Petitioner's Motion To Dismiss

**Parties Present:**

Respondent was not present

Counsel of Respondent George Carberry present

Mary Hutchinson, Deputy Attorney General for the State of Indiana

Brittney McMahan, Deputy Attorney General for the State of Indiana

Margie Addington, Court Reporter, Accurate Reporting

**Participating Board Members:**

Ted M. Reese, D.D.S., (Hearing Officer)

Richard R. Nowakowski, D.D.S.

Robert D. Findley, D.D.S.

Annette J. Williamson, D.D.S.

Jeffrey L. Snoddy, D.D.S.

R. Daron Sheline, D.D.S.

Edward Sammons, D.D.S.

Matthew Kolkman, D.D.S.

Twyla Rader, L.D.H.

Tammera Glickman, Consumer Member

**Case Summary:** On or about July 15, 2020, an Administrative Complaint was filed against Dr. Sim with allegations that he did not provide services within acceptable standards of practice. On or about September 21, 2022, a Notice of Dismissal was filed by the State. The Board reviewed the Notice of Dismissal at their meeting on October 7, 2022, and stated they could not accept the Dismissal at that time citing concerns of not enough information presented. Ms. Hutchinson stated that they are requesting a Dismissal, as the Office of Attorney General cannot present their witness or contact them. This means that the State cannot make their burden of proof. Ms. Hutchinson stated that if the Board accepts the Dismissal, they can put in informal conditions that would allow the Attorney General's Office to reopen the case, should Dr. Sim not comply with those terms. Mr. Carberry stated that Dr. Sim has been in practice for thirty years without any discipline. He stated that this complaint started due to an unsuccessful settlement with the client. He reported that Dr. Sims is willing to complete an additional 16 live continuing education the Board requested to address their concerns.

**Board Action:** A motion was made and seconded to dismiss the current complaint in the matter of Dr. Sim and grant the Motion to Dismiss.

Snoddy/Sheline

Motion carried 8-1-1 (Reese opposed. Nowakowski abstained.)

**B. Ian Hoffman, D.D.S., License No. 12011898A**

Administrative Cause No. 2022 ISBD 0006

Re: Administrative Complaint and Proposed Settlement Agreement  
The hearing in the matter of Dr. Hoffman was continued until February 10, 2023.

## VI. APPLICATIONS FOR REVIEW

### A. LICENSURE APPLICATIONS

#### 1. Peter Grumbos (DDS)

Dr. Grumbos's application by endorsement was submitted for Board review. Dr. Grumbo is a 1970 graduate of the University of Detroit and completed a clinical examination in the state of Texas where he was originally licensed. The Board noted he completed twenty (20) hours of approved continuing education, and his license verifications shows no discipline. The Board reviewed the letters of recommendation from the Houlihan Group and noted that they looked good.

**Board Action:** A motion was made and seconded to approve Dr. Grumbo's application for dental licensure pending the completion of the jurisprudence examination.

Kolkman/Williamson  
Motion carried 10-0-0

#### 2. Kirandeep Kaur (LDH)

Ms. Kaur's application by endorsement was submitted for Board review. Ms. Kaur is a 2021 graduate of New York University College of Dentistry and is currently licensed in the state of Michigan. Ms. Kaur has failed the National Board Dental Hygiene Examination three (3) times and passed on the fourth attempt. The Board discussed if she met the educational requirements and whether the statute regarding taking the examination more than three times applies.

**Board Action:** A motion was made and seconded to deny Ms. Kaur's application for dental hygiene licensure due to not meeting the requirements as listed in 25-14-1-6 and taking the national boards three times.

Nowakowski/Rader  
Motion carried 10-0-0

#### 3. Anita Walters Elliott (DDS)

Dr. Elliott's application for endorsement was submitted for review. Dr. Elliott is a 1987 graduate of Indiana University and is licensed in the state of Arizona. Dr. Elliott did not disclose discipline against her Arizona dental license. Dr. Elliot submitted a statement and supporting documents for the Board to review. She stated that the discipline occurred in 1992 and was due to a delay in providing a patient their records. She reported that the Arizona Dental Board fined her \$500 and she paid \$600 in restitution to the client. She indicated that she has had no other discipline against her license.

**Board Action:** A motion was made and seconded to approve Dr. Elliott's application for dental licensure pending the passing of the jurisprudence examination.

Kolkman/Williamson

Motion carried 10-0-0

## **B. CONTINUING EDUCATION**

There were no Continuing Education applications for review.

## **VII. DISCUSSION**

### **A. Compliance Fund Update**

Dr. Reese was provided an updated report on the Compliance Fund. He stated that it does not appear to him to be accurate. He stated that previous reports, he recalls that there has been more money taken out without the Board's approval from his understanding. Dr. Reese stated that he is aware of the IDA working on legislation that will adjust the fee amounts going into the fund, and that he believes that some of the fund is being spilled into the General Fund for the State. Dr. Reese stated that he wishes to create Rules for a Compliance Officer who will then be paid out of the fund. Dr. Reese provided a copy of the Rules he was thinking of implementing for the Compliance Officer. Ms. Glickman asked for clarification if they can make rules for the Compliance Officer. Dr. Sheline stated that they can provide these potential rules for the Compliance Officer when they discuss the new MOU with the Office of Attorney General. The IDA has reported that the intent of the new MOU amendments would allow the fund to only be used for Compliance purposes, and that with protentional new legislations eliminating how money gets added to the fund. The Board discussed how the fund could be potentially maintained using their fines against practioners who are disciplined. Dr. Reese expressed frustration that they cannot make rules at this time for the Compliance Officer.

The Board discussed other uses for the Compliance Officer such as application investigations before the Board sees them for appearances, and to investigate those who have been placed on probation. Ms. Glickman stated that the Board must be careful about putting too strong a language in their rules, as it will constrain what the Board can do when circumstances change. She stated that it is best that the Board start with a contract that will address the Board's concerns rather than going to legislation. Dr. Reese stated that he would like to see Ms. Glickman's thoughts on examples on how that type of contract would be worded.

The Board also discussed CE tracking, and how CE is reported to the Board. They stated that they will look at various firms to present to the Board how CE is tracked and presented in other States.

### **B. Website Modifications Recommendations**

The Board discussed information they would like to see on the website. Dr. Reese stated that he would like to see the list of violations and practioners that are placed on probation. Board staff advised that information can already be obtained on our website under the license litigation section.

Dr. Reese inquired about the posting of the minutes, the Board staff stated that the minutes that the Board has approved and edited are listed on the website currently.

Dr. Reese asked about clearer application instructions. The Board staff stated that they would need specific sections that need the clarity as they have already done an overhaul of the instructions. Ms. Rader stated she will get with Board staff after the meeting to point out sections that are unclear.

Dr. Reese inquired about the information on the Dental Compliance Fund to be posted. Dr. Kolkman asked for clarification if that is within their authority to post that information. Board counsel advised that he does not believe it is within the Board's authority to post that information. Dr. Nowakowski stated that they will have to be careful what they post. Dr. Reese asked about position statements, like Botox injections. Dr. Kolkman stated that he does not understand the purpose of position statements as the rules should be their position. Dr. Nowakowski stated that position statements get tricky as it can be constituted of legal advice which the Board cannot provide.

### **C. Proposed Administrative Rules Review**

The Board discussed their Rule review. They reviewed the rules for Mobile Dental Facility Permits. The Board stated that they have concerns on the practice of facilities of Mobile practices, and that the rules state that a Mobile facility should have a stationary location. The Board stated that they would like to review the statutes that allow them to make rules for the Mobile Dental Facilities. Board Counsel stated that he will review the statutes and provide more information at the next meeting.

The Board reviewed their rules for Dental Instructors and made no edits.

The Board reviewed their rules for Dental Light Parental Conscious to Moderate Sedations. They discussed the amount of training hours needed for to obtain the license. They edited the requirements to lessen the hours needed. All other training requirements remained the same.

The Board reviewed their rules for Coronal Polishing and edited the language for clarity.

The Board reviewed their rules for Anesthetic Permits, and the pediatric training sections. Dr. Sammons stated that California had good rules for the training of pediatric sedations. Dr. Kolman and Dr. Sammons stated that they will present a language proposal for that rule at the next meeting.

The Board stated that they will revisit their Mobile Dental Facility and Pediatric Anesthesia Permit Training rules at the next meeting.

## **VIII. REPORTS**

### **A. Office of the Attorney General**

The Office of Attorney General reported that currently there are 106 consumer complaints open with a duration of 9.9 months. There have been 51 complaints closed this year. There are 12 litigation cases open with a duration of 15.1 months. There have been 10 litigation cases closed this year. The Office of Attorney General informed the Board that not every complaint is reviewed by the Board liaison. They clarified that the Complaint process does have standards in place to allow them close out complaints that do not need the liaison to review. If a complaint has standard of care concerns, it will be reviewed by Mary Hutchinson, Office of Attorney General.

## **IX. OLD/NEW BUSINESS**

The was no old/new business to discuss.

## **X. ADJOURNMENT**

There being no further business, and having completed its duties, the meeting of the State Board of Dentistry adjourned at 2:53 p.m. by consensus.

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Ted Reese, D.D.S., President